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PART II—Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संलग्न थीं जाती हैं जिससे इक यह अलग संकलन के स्पष्ट में रखा जा सके।
Separate paging is given to this Part in order that it may be filed
as a separate compilation.

RAJYA SABHA

The following Bills were introduced in the Rajya Sabha on the 22nd November, 1974:—

I

BILL NO. XL OF 1974

A Bill further to amend the Constitution of India.

Be it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 1974,

Short title and commencement.

(2) It shall come into force immediately after the dissolution of this present House of the People.

2. In article 84 of the Constitution, for clause (b), the following clause shall be substituted, namely:—

Amendment of article 84.

"(b) is, in the case of a seat in the Council of State, not less than thirty but not more than sixty-five years of age and, in the case of a seat in the House of the People not less than twenty-five but not more than sixty years of age; and,".

3. In article 173 of the Constitution, for clause (b), the following clause shall be substituted, namely:—

Amendment of article 173.

"(b) is, in the case of a seat in the Legislative Assembly, not less than twenty-five but not more than sixty years of age and, in the case of a seat in the Legislative Council not less than thirty but not more than sixty-five years of age; and,".

STATEMENT OF OBJECTS AND REASONS

The object of the Bill is to discountenance the growth of gerontocracy in our democratic Republic by fixing upper age limit for the Members of Parliament and Members of States Legislatures.

PRAKASH VEER SHASTRI

II

BILL No. XLII OF 1974

A Bill further to amend the Constitution of India.

Be it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

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| 1. (1) This Act may be called the Constitution (Amendment) Act, 1974. | Short title and commencement. |
| (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint. | |
| 2. In article 75 of the Constitution, after clause (6) the following clause shall be inserted, namely:—
“(7) A Minister shall not hold office continuously for more than ten years.” | Amendment of article 75. |
| 3. In article 164 of the Constitution, after clause (5) the following clause shall be inserted, namely:—
“(6) A Minister shall not hold office continuously for more than ten years.” | Amendment of article 164. |

STATEMENT OF OBJECTS AND REASONS

It is a common feature both in the Central Government and the State Governments that once a person becomes a Minister, he continues to be so for many years. This is not a healthy feature. To bring in fresh ideas and fresh blood into the administrative machinery of the country, it is imperative that a Minister should not hold office continuously for more than ten years. This Bill seeks to achieve that object by amending the relevant articles of the Constitution.

PRAKASH VEER SHASTRI

III

BILL No. XLI OF 1974

A Bill further to amend the Constitution of India.

Be it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 1974.

Short title and commen-cement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In the Seventh Schedule to the Constitution, entry 4 of the State List shall be omitted and after entry 4 of the Concurrent List, the following entry shall be inserted, namely:—

Amend-ment of the Seventh Schedule.

“4A. Prisons, reformatories, Berstal institutions and other institutions of a like nature, and persons detained therein; arrangements with other States for the use of prisons and other institutions.”

STATEMENT OF OBJECTS AND REASONS

The country is facing difficult social problems and the need of the hour is to undertake various steps in the field of prevention of crime and treatment meted out to the offenders. For this, progressive prison reforms are to be undertaken. Experience has shown that uniform policies could not be undertaken as the subject of prisons and allied institutions is in the State List.

It is, therefore, felt that an amendment of the Constitution is essential to include the said subject in the Concurrent List so that necessary legislation could be enacted by Parliament for uniform application throughout the country.

Hence the Bill.

OMPRAKASH TYAGI

IV

BILL No. XLV OF 1974

A Bill to provide for the periodical disclosure of assets of Ministers.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Disclosure of Assets of Ministers Act, 1974.

(2) It shall come into force at once.

2. In this Act,—

(a) "Minister" means a member of the Council of Ministers, a Minister of State or a Deputy Minister;

(b) "property" means and includes any property situate in India or abroad.

3. (1) Every Minister shall, on first appointment and thereafter at an interval of every twelve months during his term of office as a Minister, lay before each House of Parliament a return, in such form as may be prescribed by the Central Government, of all immovable property owned, acquired or inherited by him or held by him on lease or mortgage either in his own name or in the name of any member of his family, or in the name of any other person.

Short title and commencement.
Definition.

Disclosure of assets.

(2) Every Minister shall, on first appointment and thereafter at an interval of every twelve months during his term of office as a Minister, lay before each House of Parliament a return, in such form as may be prescribed by the Central Government, of all movable property owned, acquired or inherited by him or by any member of his family, together with the details of the means by which, or the sources from which, such property was acquired.

Explanation.—For the purposes of this sub-section, the expression "movable property" includes, the following property, namely:—

- (a) jewellery, insurance policies, shares, securities, and debentures;
- (b) deposit in Banks or with private firms or individuals;
- (c) loans advanced by such Minister, whether secured or unsecured;
- (d) motor cars, motor cycles, horses or any other means of conveyance; and
- (e) refrigerators, television sets, radio-sets, radiograms and tape-recorders.

Penalty
for non-
compli-
ance:

4. A Minister who fails to comply with the provisions of section 3 shall be disqualified for being chosen as, and for being a, Member of either of House of Parliament for a period of six years from the date of his default.

STATEMENT OF OBJECTS AND REASONS

The evil of corruption in the Administration must be ruthlessly fought at all levels, lest freedom, democracy and socialism should cease to have any meaning at all for the people of our country.

Rules and Regulations for the All-India Services and Central Civil Services provide salutary checks on the conduct of all members of the Services. What is considered necessary in the case of Government servants who have security of tenure, retirement with a pension at the end of their service, and who stand in danger of removal or dismissal from service for proved misconduct, should be even more so in the case of Ministers for whom there are no such builtin checks or deterrents.

Hence this Bill.

PRAKASH VEER SHASTRI.

VI

BILL No. XLIII OF 1974

A Bill to provide for compulsory technical training to all students who pass the middle standard examination.

BE it enacted by Parliament in the Twenty-fifth year of the Republic of India as follows:—

Short title,
and
commencement.

Compulsory
technical
training to
students

Schools
to make
arrange-
ments for
techni-
cal train-
ing.

1. (1) This Act may be called the Compulsory Technical Training to Students Act, 1974.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Every student who has passed the eighth class examination shall compulsorily be given technical training for a minimum period of two years in one of the trades of his choice.

3. Every School shall make adequate arrangements for imparting technical training under Section 2 of this Act in various trades prescribed by the Central or the State Government, as the case may be.

4. The high school or the higher secondary examination certificate to a student shall be awarded only after he has completed the course of technical training provided in Section 2 of this Act.

High
School
Certificate
to be
awarded
after train-
ing.

5. The Central Government or the State Government, as the case may be, shall make rules for carrying out the purposes of this Act.

Power to
make rules

STATEMENT OF OBJECTS AND REASONS

The country is facing the grave problem of large scale unemployment which is defying solution in spite of the efforts by the Government. The only way which would make some impact in solving this problem is self-employment. But large scale self-employment is possible only when the youth of the country are trained in technical trades, so that after completing their education at the matric or higher secondary level they are able to start some small scale or cottage industry of their own. With a view to achieve this end, it is necessary that technical training becomes a compulsory part of the curriculum of the school education after the middle standard.

Hence this Bill.

LAKSHMI KUMARI CHUNDAWAT.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for adequate arrangements for technical training in the schools. This would involve a recurring expenditure from the Consolidated Fund of India in respect of schools in Union territories of a sum of about rupees five crores.

A non-recurring expenditure of about rupees two crores is also likely to be incurred.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5 of the Bill empowers the Central and the State Governments to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail, the delegation of power is of a normal character.

B. N. BANERJEE,
Secretary-General.